




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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,425	01/06/2004	Nien-Hui Kung	MR2707-55	3220
4586	7590	12/16/2004	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			HAN, JASON	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/751,425	<b>Applicant(s)</b> KUNG ET AL.	
	<b>Examiner</b> Jason M Han	<b>Art Unit</b> 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on April 8, 2003. It is noted, however, that applicant has not filed a certified copy of the Taiwan 092205514 application as required by 35 U.S.C. 119(b).

### ***Specification***

2. The abstract of the disclosure is objected to because on Page 8, Line 12 of the specification, within the Abstract, "increased" should not be in the passive sense, but in the active and should read as "increases". Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities:

a. Page 4, Lines 1-3: grammatical error – the structure of the sentence is convoluted and unclear – please elucidate and revise the sentence fragmentation to read similarly as Page 4, Lines 15-17.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burgess et al. (U.S. Patent 3757511) in view of Johnson et al. (U.S. Patent 6439731).

Burgess discloses a light emitting diode display with automatic contrast compensation including:

- a photo detector for detecting environmental light intensity [Figure 1: (34)];
- an LED driver/power control circuit [Figure 1: (40)] for receiving a signal from the photo detector to increase brightness of the LED display [Figure 1: (23, 20)] when the environmental light intensity increases [Column 7; Lines 25-27; Column 9, Line 7 – Column 10, Line 10];
- a solar cell [Figure 1: (35)] for providing power for the LED driver to increase brightness of the LED display [Column 3, Lines 44-55]; and
- whereby the power control circuit [Figure 1: (40)] serves to prevent over-current to the LED(s) [Column 10, Lines 1-3].

Burgess does not specifically teach the use of organic light emitting diodes (OLEDs).

Johnson discloses a flat panel liquid crystal display that utilizes organic light emitting diodes within a circuit [Column 5, Line 62 – Column 6, Line 67].

It would have been obvious to modify the light emitting diode display of Burgess to incorporate the organic light emitting diodes of Johnson, which is commonly known in the art to provide a greater brightness than standard LEDs. Such a configuration is an obvious trend within illumination and is also considered by the examiner to be a design preference.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art pertinent to the current application:

US Patent 4142781 to Baur et al;	US Patent 4181915 to Lagoni;
US Patent 4329625 to Nishizawa et al;	US Patent 4903172 to Schoniger et al;
US Patent 4904991 to Jones;	US Patent 5192944 to Otsuki et al;
US Patent 5435087 to Karkar et al;	US Patent 5838286 to Pfeiffer et al;
US Patent 6028327 to Mizoguchi et al;	US Patent 6046401 to McCabe;
US Patent 6104372 to Lindquist et al;	US Patent 6236331 to Dussureault;
US Patent 6265984 to Molinaroli;	US Publication 2002/0027229 to Yamazaki et al;
US Publication 2002/0159245 to Murasko et al.;	US Publication 2003/0098856 to Li;
US Publication 2003/0103345 to Nolan;	US Patent 6604840 to Watson;
US Publication 2004/0105264 to Spero;	US Publication 2004/0139238 to Luhrs;
US Patent 6580657 to Sanford et al.	


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M Han whose telephone number is (571) 272-2207. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMH  
(11/17/2004)



**JOHN ANTHONY WARD**  
**PRIMARY EXAMINER**